

REMARKS

In order to emphasize the patentable distinctions of applicant's invention over the prior art, claim 1 (and claims 2, 3 and 9, dependent thereon) have been amended to include the limitation of old claim 4. In turn, claim 4 has been cancelled. As amended, claim 1 now recites (i) that the identification number further includes a mark indicating card buyer status, and (ii) that the card buyer status is selected from the group consisting of minor and adult, thereby providing anonymity to the card user. Claim 9 has been amended to further restrict the system of claim 1 by requiring that the monetary value be non-renewable after the amount has been exhausted. Each of these amendments is clearly supported by the original specification; particularly at page 9, lines 3 through 8; old claim 4; page 3, lines 19 through 24; page 4, lines 1 through 23; page 5, line 13; and page 7, lines 9 through 10, and lines 15 through 20.

In addition, independent claim 5, as well as claims 6 and 7, dependent thereon, and independent claim 8 have been amended to include the step of issuing an identification number that includes a mark indicating card buyer status selected from the group consisting of minor and adult in order to particularly point out and distinctly claim a system for purchasing goods or services that provides anonymity to the card user. Each of these amendments is clearly supported by the original specification,, particularly at page 9, lines 3 through 8; and old claim 4.

Additionally, new claims 10 and 11 have been added, in order for applicant to claim a system for purchasing goods or services from a vendor including all the limitations of claim 1, and each including a further limitation. New claim 10 includes the limitation that each prepaid credit card is packaged in a sealed shrink-wrap packaging prior to opening. This sealed shrink-wrap packaging provides a security measure by ensuring that the value of the card has not been tampered with, and

thereby avoids unauthorized uses prior to opening. New claim 11 includes the limitation that the monetary value of each of the plurality of prepaid credit cards is not more than an amount of one hundred dollars. By limiting the value of each of the plurality of prepaid credit cards an extra security measure is in place to minimize financial loss should the card be misplaced or stolen. Each of these amendments is clearly supported throughout the original specification; particularly at page 5, lines 4 through 6, lines 6 through 7, and lines 13 through 21.

The Examiner has rejected claims 1 and 9 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention. Specifically, the Examiner states that it is not clear how the limitation of claim 9 further limits claim 1, which is directed to a system. As amended, claim 9 particularly points out and distinctly claims the system of current claim 1 by requiring that the monetary value of the system is non-renewable after the amount has been exhausted. In particular, current claim 9 provides that the system's monetary value cannot be renewed once the amount is exhausted, and consequently, the card has no further value and is therefore disposed of.

In view of the amendment of claim 9 to recite that the monetary value printed on the face of the credit card is non-renewable and cannot be renewed after the monetary value is exhausted, it is respectfully submitted that claim 9 particularly points out and distinctly claims the subject matter delineated, and is in compliance with the requirements of 35 USC §112, second paragraph.

The Examiner has rejected claims 1 – 9 under 35 USC §102(e) as being anticipated by US Patent No. 6,145,741 to Wisdom, et al. Specifically, the Examiner has stated that claims 1 – 9 are anticipated for the reasons discussed in the previous

office action, dated December 21, 2004, wherein the Examiner stated that claims 1 – 8 were anticipated by figures 1 and 3 disclosed by Wisdom, et al. In that office action, the Examiner stated that Wisdom, et al., discloses a system for purchasing goods or services from a vendor, comprising: a plurality of prepaid credit cards each having a unique identification number and a monetary value printed on its face; storage means for storing said identification numbers and said monetary value for each of a plurality of prepaid credit cards; computing means for approving or disapproving a sale; and communication means for transmitting and receiving between said computing means and said vendor said identification number; and a charge cost comprised of a price for said goods or services, whereby a customer using said prepaid credit card is enabled to anonymously purchase said goods or services.

The Examiner has stated that applicant's previous arguments concerning applicant's cards each having a "unique" identification number as being unpersuasive. The Examiner further stated that applicant's previous argument directed to the disposability of the claimed card was not persuasive after the Examiner determined that the card of Wisdom, et al. can be disposed of or optionally revalued.

Wisdom, et al. discloses a universal prepaid petroleum-related and travel card system featuring a pre-paid card that can be utilized at any major brand filling station to purchase gasoline, oil, and optionally non petroleum-related products such as sundries sold at many filling stations. The card system disclosed by Wisdom, et al. comprises a card embodying indicia, which includes indicia for identifying the card as being essentially universal and authentic, and identifying a monetary amount of pre-paid credit. The Wisdom, et al. universal card further comprises means for identifying the purchase of a product and the price of the product, and a card reader responsive for identifying authenticity and universality of the card and for reducing

the monetary amount on the card. The universal pre-paid card disclosed by figures 1 and 3 provides a card “update” function, which enables the user of the card to put more money on the pre-paid card. Col. 3, last paragraph, onto Col. 4; see also figure 1 at 22. Accordingly, the universal pre-paid card can be re-used after the original monetary value has been used up.

Furthermore, the universal pre-paid gas card system shown in figure 1 includes an entry of selected information at block 14. Col. 3, paragraph 3. This selected information includes such information as “user entity” information. Col. 3, paragraph 3. Wisdom, et al. defines “user entity” information as information that “includes any or all of the following: an individual person acting in their personal capacity, a person acting in connection with or on behalf of an organization, a purpose for which or on behalf of which the pre-paid card is used, or an account for tracking a use or uses for which the card is employed.” Col. 2, last paragraph. The universal pre-paid gas and travel card disclosed by the Wisdom, et al. patent does not require nor provide for user anonymity, and in fact provides “user entity” information, including such information as ‘an individual person, or a person acting in connection with or on behalf of an organization, a purpose for which or behalf of which the pre-paid card is used, or an account for tracking a use or uses for which the card is employed.’

The universal pre-paid gas and travel card system disclosed by Wisdom, et al. does not call for a unique identification number further including a mark that indicates the card buyer’s status as a minor or an adult printed on its face, as is required by applicant’s current claims 1 – 11. Applicant’s current claims 1 – 11 require that the unique identification number further include a mark that indicates the card buyer’s

status. The buyer's status, as required by applicant's current claims 1 – 11, is selected from the group consisting of a minor and an adult.

On the other hand, amended claim 1, as well as claims 2, 3, amended claim 9, and new claims 10 and 11, dependent thereon, provides a system for purchasing goods or services from a vendor, comprising: (i) a plurality of prepaid credit cards each having a unique identification number and a monetary value printed on its face; (ii) storage means for storing said identification numbers and said monetary value for each of a plurality of prepaid credit cards; (iii) computing means for approving or disapproving a sale; (iv) communication means for transmitting and receiving between said computing means and said vendor said identification number and a charge cost, said charge cost being comprised of a price for said goods or services; and (v) said identification number further including a mark indicating card buyer status, said card buyer status being selected from the group consisting of minor and adult; whereby a customer using said prepaid credit card is enabled to anonymously purchase said goods or services.

Furthermore, claim 5, as well as claims 6 – 7 dependant thereon, discloses a method of payment for goods or services, comprising the steps of: (i) purchasing a prepaid credit card of a predetermined value from a first vendor, said credit card having a unique identification number and having been issued by an issuing institution; (ii) issuing an identification number that includes a mark indicating card buyer status, said card buyer status being selected from the group consisting of minor and adult; (iii) presenting said prepaid credit card to a second vendor for payment of a charge cost composed of a price for said goods or services; (iv) transmitting said identification number and said charge cost to said issuing institution; (v) deducting said charge cost from said predetermined value, if said predetermined value equals or

exceeds said charge cost; (vi) transmitting sale approval to said second vendor, if said predetermined value equals or exceeds said charge cost; and (vii) transmitting sale disapproval to said second vendor, if said predetermined value does not equal or exceeds said charge cost; whereby a customer is able to anonymously purchase said goods or services.

Claim 8 provides a method of payment for goods or services, comprising the steps of: (i) issuing a plurality of prepaid credit cards of various predetermined values, said credit cards each having a unique identification number and being issued by an issuing institution, wherein the unique identification number further including a mark indicating card buyer status, said card buyer status being selected from the group consisting of minor and adult; (ii) recording said identification number of each credit card with a corresponding predetermined value; (iii) distributing said credit cards to a plurality of first vendors; (iv) selling said credit cards at said predetermined value to customers, said selling being effected by said first vendors; (v) purchasing a prepaid credit card of a predetermined value from one of said first vendors, said purchasing being effected by said customer; (vi) paying said issuing institution said predetermined value minus a sales commission; (vii) presenting said prepaid credit card to a second vendor for payment of a charge cost comprised of a price for said goods or services; (viii) transmitting said identification number and said charge cost to said issuing institution, the transmitting being effected by said second vendor; (ix) deducting said charge cost from said predetermined value, if said predetermined value equals or exceeds said charge cost; (x) transmitting sale approval to said second vendor, if said predetermined value equals or exceeds said charge cost; (xi) transmitting sale disapproval to said second vendor, if said predetermined value does not equal or exceeds said charge cost; and (xii) paying said issuing institution a

commission on said sale; whereby a customer using said prepaid credit card is enabled to anonymously purchase said goods or services.

The universal pre-paid gas and travel card disclosed by Wisdom, et al. does not comprise a plurality of credit cards each having a unique identification number further including a mark indicating card buyer status selected from the group consisting of minor and adult, but merely provides “identifying” information for universality and authentication of the card. By way of contrast, the credit card called for by amended claims 1 – 11, has a unique identification number further including a mark indicating card buyer status selected from the group consisting of minor and adult, in order to facilitate anonymity of the user. The mark indicating the card buyer’s status, as required by applicant’s current claims 1 – 11, preserves the anonymity of the card user because the user does not have to display his / her identity (i.e. license) when making certain purchases.

For example, applicant’s current claims provide a system and method of purchase wherein where the card user is an adult; the first digit of applicant’s card includes an identification number used as a mark of adult status: numbers starting with one signify the cardholder is 18 years of age or older. Advantageously, when the user of applicant’s claimed invention is purchasing items, such as tobacco, alcohol, or other items having adult oriented content, the vendor can readily see that the card user is an adult, and the card holder will, in all probability, not be required to display his / her license or provide additional means of identification. As a result, applicant’s system and method, as called for by current claims 1 – 11, provides the cardholder / user with complete anonymity so that his / her identity remains completely anonymous. This feature is particularly advantageous when the card user is shopping or making a purchase in a small town or community.

Additionally, applicant's present claims 1 – 11 further require that when the card user is a minor, the identification number is marked to so indicate the minority status of the card user. With this arrangement, the cashier / vendor will immediately be alerted as to the minor status and can consider the prospective purchase of an item in light of the purchaser's status. This feature serves to preserve the anonymity of the user.

In today's society, wherein identity theft is one of the fastest growing problems, anonymity is very important. The anonymous credit card disclosed by applicant's claimed invention guarantees privacy for the user by obfuscating any connection between the cardholder and the card itself. A major advantage of applicant's claimed invention over standard credit cards is the limited value of the card if it is lost or stolen, and the prevention of impairment to the owner's credit rating due to theft. Applicant's new claim 10 further restricts the system of claim 1 by providing that each of the plurality of prepaid credit cards in a sealed shrink-wrap packaging prior to opening. This sealed shrink-wrap packaging, as called for by applicant's new claim 10, enhances the security of the card by minimizing the risk of tampering with the card prior to use. Applicant respectfully submits that Wisdom, et al. does not disclose or suggest a card having a sealed shrink-wrap packaging for enhanced security.

Moreover, applicant's new claim 11 recites a system as recited in claim 1 wherein said monetary value of each of the plurality of prepaid credit cards is not more than an amount of one hundred dollars. Advantageously, by limiting the value of each of the plurality of prepaid credit cards, as required by applicant's new claim 11, an extra security measure is in place to minimize financial loss should the card be misplaced or stolen. Applicant respectfully submits that Wisdom, et al. does not


disclose or suggest a card wherein the monetary value of each of the plurality of prepaid credit cards is not more than an amount of one hundred dollars.

It is respectfully submitted that the system disclosed by amended claim 1, claims 2 – 3, 9, and new claims 10 and 11, dependent thereon, the method disclosed by claim 5, claims 6 – 7 dependant thereon, and the method disclosed by claim 8, are patentably distinct over the teaching of Wisdom, et al.

Accordingly, reconsideration of the rejection of claims 1 – 9 under 35 U.S.C §102(e) as being anticipated by Wisdom, et al. is respectfully requested.

In view of the amendments to the claims and the remarks set forth above, it is respectfully submitted that the present application is in allowable condition. Reconsideration of the rejection of claims 1– 9, and new claims 10 and 11, and their allowance are earnestly solicited.

Respectfully submitted,
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